

4577. Adulteration of horse beans. U. S. * * * v. 612 Sacks of Horse Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6875. I. S. No. 2511-I. S. No. E-394.)

On September 24, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 612 sacks of horse beans, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about August 26, 1915, and transported from the State of California into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in particular [part] of wormy or worm-eaten beans, contrary to the provisions of section 7, subdivision 6 under food, of the Food and Drugs Act.

On October 25, 1915, James Chieves & Co., New York, N. Y., having filed its stipulation admitting the truth of the allegations in the libel and consenting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released and delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$2,000, in conformity with section 10 of the act, conditioned that the goods, after their release, be sorted out under the supervision of the Department of Agriculture, and that so much of the same as should be found to be unfit for food should be destroyed or denatured at the expense of the claimant, the balance thereof to be disposed of according to law.

CARL VROOMAN, *Acting Secretary of Agriculture.*